

MAYOR

William Johnson

CITY CLERK

Phillip Para

TREASURER

Frank Martin

COURT JUDGE

Pal Rainey

ATTORNEY

David Peebles

CITY COUNCIL

Ward 1.....James Holt - Position 1
Clarence Davis - Position 2

Ward 2.....James Pulliaum - Position 1
Phillip Carter - Position 2

Ward 3.....Ramona Taylor - Position 1
Dr. C. W. Peebles - Position 2

Ward 4.....Lorraine Robinson - Position 1
Marco McClendon - Position 2

Ward 5.....Herman Coleman - Position 1
Helen Harris - Position 2

A PERSONAL MESSAGE TO YOU

Be proud of your job. It is important and the experience you gain will be priceless. If you are to succeed, you must.....

Cooperate with your supervisor; he or she wants you to succeed.

Be thorough and dependable. If it's worth doing, it's worth doing right.

Refrain from being a 'griper'. You can't build your own character by tearing down others.

Follow the rules. Success requires teamwork.

Exert 'extra' effort and strive to be the best.

Be the master of your present job. This is your best recommendation for a better job.

Be friendly and sincere to all.

Be willing to learn.

Be neat in appearance; be clean and conservative in your dress.

Be loyal to your supervisor, department head, department and to the City of West Memphis.

* * * * *

Adopted by Ordinance #1425 on June 21, 1990

Effective on July 21, 1990

Amended By		
Ordinance #1437	8-02-90	(Effective 8-02-90)
Ordinance #1459	1-03-91	(Effective 1-03-91)
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Ordinance #2032	6-25-02	(Effective 7-25-02)

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1.0 ABOUT THIS MANUAL

1.1 Preface

The purpose of this manual is to inform you of personal benefits, working conditions, personal conduct and various policies affecting you and your job. To explain all personnel procedures in detail within this manual would create a voluminous text of impractical size. Therefore, these policies are general applications of employment procedure. If any questions arise as to interpretation, or further explanation is necessary, do not hesitate to discuss the problems with your supervisor.

1.2 Why Regulations Are Necessary

In order to function efficiently where a group of people work together, regulations of conduct and ethics are necessary. The City's regulations are based on common sense for the good of the community and its employees. The City expects you to give complete cooperation in adhering to these regulations.

1.3 Change of Regulations

Regulations and procedures are subject to change at the discretion of the City administration. Any new regulations will be supplied to you. It will be your responsibility to place them in the book as they become effective.

1.4 Severability Clause

The provisions of these rules and regulations are declared severable, and if any rules, or section, sentence, clause, phrase or word of the rules shall for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining rules, but they shall remain in effect, it being the legislative intent that these rules shall stand, notwithstanding the invalidity of any part.

1.5 How To Use This Manual

This manual is designed to outline policies and procedures for employees of the City of West Memphis. If at any time, you do not understand the meaning or intent of a policy, you should check with your supervisor for clarification. The manual is divided into four parts, namely:

- Section 1 About This Manual
- Section 2 Employment Practices
- Section 3 Personal Conduct
- Section 4 Employee Benefits

The table of contents lists these four sections, along with specific items under these sections. A page number as well as a paragraph number is given for quick reference. In addition, an index is placed at the end of the manual. For specific subjects, you should refer to this index. You will be asked to sign a release form to denote receipt of this manual. This form will be filed in your personnel folder in the Personnel Department. Space is provided at the end of the manual for you to write changes or additions to the City's policies, which may occur at a later date.

2.0 Employment Practices

2.1 Statement Of Policy

The City of West Memphis is an Equal Opportunity Employer. It is the policy of the City to comply with the non-discriminatory provisions of all state and federal regulations including the Equal Employment Opportunity Act of 1972.

The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited on all work sites of the City of West Memphis. Any employee who has a drug or alcohol problem is encouraged to seek assistance from the local hospital's drug and alcohol rehabilitation and treatment program or from the Employee Assistance Program.

2.2 Selection Of Employees

The Chiefs of the Police and Fire Departments are appointed by the Mayor. Other department heads are either appointed by the Mayor with City Council approval or appointed by their respective commissions.

2.3 Definition of "Employee"

To be classified as a full-time employee of the City, you must work at least 30 hours per week. You may be paid on an hourly or semi-monthly basis.

2.4 Residence Requirement

It is hereby declared to be the policy of the City of West Memphis that all City employees shall live within the boundaries of Crittenden County, Arkansas; that all new employees must move within the boundaries of Crittenden County, Arkansas, within ninety (90) days after employment; that City employees who move beyond the boundaries of Crittenden County, Arkansas, shall be automatically terminated, providing; however, this ordinance shall not apply to any City employee now employed by the City of West Memphis, before the effective date of this ordinance who now live outside Crittenden County

2.5 Physical Examinations

As a condition of your employment with the City, you may be required to have a physical examination. You may be required to have additional physicals during your term of employment. These physicals, when required by your department head, will be paid for by the City.

2.6 Working Schedule

Your regular work schedule will be determined by the position you hold. Regardless of what hours you work, you are expected to be prompt and ready to work. By being late, you may delay a number of other employees who have complied with this regulation. Be fair to them and yourself.

2.8 Salaries

The salaries of the employees of the City compare favorably with those of surrounding cities of its size. Your salary range is determined by the position you hold. During the first years of your employment, you are eligible for step increases according to the pay scale approved by the City Council. Further increases in salary are at the discretion of the administration.

2.9 Pay Schedules

Pay periods end on the 15th and the last day of the month for all City employees. Checks will be distributed by your supervisor. If the 15th or the last day of the month falls on a weekend, you will receive your check on the preceding Friday. Because of the payroll ending dates, your check may not include time through the end of the pay period. Your department head will explain this to you.

2.10 Promotions

It is the policy of the City to fill vacancies by promoting current employees whenever possible. You will be given consideration and preference for positions, which represent a promotion for you.

Vacant positions will be posted by the Personnel Department. If you feel you are qualified for the position, you should contact the Personnel Department for details.

Recommendations for promotion are based on your performance in your present job. Attendance, punctuality, efficiency and conduct will be evaluated. Competitive examinations are required for certain positions.

2.12 Retirements

You are eligible to retire from the City after twenty (20) years of service. Retirement is mandatory for policemen and firemen upon reaching the age of 71. Employment will cease on the last day of the month of your anniversary date.

2.13 Discipline

Disciplinary action may include, but is not limited to the following:

- A. Reprimand
- B. Suspension, not to exceed thirty (30) days without pay.
- C. Dismissal

The immediate supervisor or department head will initiate disciplinary action. Employees shall not be suspended without pay or terminated without first being offered a predetermination hearing.

The Utility General Manager has the full authority to reprimand, suspend and dismiss utility department employees. All other department heads have the authority to reprimand and suspend employees of their respective departments with pay or without pay up to two weeks.

Utility employees who have received disciplinary action may request an appeal hearing with the Utility Commission, provided the request is made in writing within ten (10) days of the disciplinary action. All other employees who receive disciplinary action may request an appeal hearing with the Mayor, provided the request is made in writing within ten (10) days of the disciplinary action.

3.0 Personal Conduct

3.1 Job Related Problems

If you have any job related problems you should take the following steps to resolve them:

1. Discuss the problem with your supervisor.
2. If you and your supervisor are unable to resolve the problem, your supervisor will set up a meeting with your department head.
3. If your department head is unable to resolve the problem to your satisfaction, you request the department head to set up a meeting with the Mayor.
4. The Mayor will discuss the matter with you and will have the final authority in the matter.

3.2 Absence Without Notice

Your supervisor or department head must be notified if you are going to be absent. If you fail to notify your supervisor or department head, you will have to get approval before you can return to work. Absence without notice is defined as being over one hour late. Absence without notice will result in loss of pay for the period of absence.

3.3 City Property

The equipment of the City belongs to the citizens of West Memphis. You must take proper care of it. At no time is it to be loaned or abused. The equipment may be used for personal reasons only if approved by the Mayor and City Council.

3.4 Personal Obligations

Your personal problems are yours and not the taxpayers of the City. Employees are required to handle their obligations in such a manner that they will not be contacted on the job. Neither is the supervisor or department head to be contacted concerning past due bills owed by the employee or other personal problems of that nature.

3.5 Tardiness

It is your responsibility to be on time for work. If you are going to be late arriving on the job, you must notify your supervisor or department head immediately. If you know in advance that you are going to be late, you should let your supervisor know so that he may make arrangements to schedule around your absence.

Chronically reporting late may result in suspension, reduction in pay, or loss of your job. Chronically reporting late means being late three (3) times in one (1) month.

3.6 Bulletin Boards

Bulletin boards are placed in each department for your convenience and information. These boards are an official means of communication with you. You should check these boards regularly for notices of interest or items concerning you or your job. You are responsible for any instructions placed on the board.

3.7 Change in Status

The Personnel Department maintains a file on all City employees. This file contains payroll, insurance and other necessary data. It is important that your personal status be kept current. You should notify your supervisor immediately of any changes in address, telephone number, marital status, dependents, etc.

3.8 Accidents on the Job

You must report all job related accidents to your supervisor. If the accident results in an injury, your supervisor will arrange for any necessary medical treatment.

3.9 Unlawful Harassment

The City of West Memphis expressly prohibits its officials or employees from engaging in any form of unlawful harassment of employees based on race, religion, color, gender, national origin, age, disability or status as a veteran or special disabled veteran.

Harassment is any annoying, persistent act or actions that single out an employee, over that employee's objection to his or her detriment, because of race, sex, religion, national origin, age (over 40) or disability. Harassment may include, but is not limited to the following actions.

1. Verbal abuse or ridicule;
2. Interference with an employee's work;
3. Displaying or distributing sexually offensive, racist, or other derogatory materials;
4. Discriminating against any employee in work assignments or job related training because of one of the above-referenced bases;
5. Intentional physical contact with either gender-specific portions of a person's body or that person's private parts;
6. Making offensive sexual, racial or other derogatory hints or impressions.
7. Demanding favors (sexual or otherwise), explicitly, as a condition of employment, promotion, transfer or any other term or condition of employment;

It is every employee's and official's responsibility to ensure that his or her conduct does not include or imply harassment in any form. If, however, harassment or suspected harassment has or is taking place:

- A. An employee should report harassment or suspected harassment immediately to the department head. If the department head is the alleged harasser, then the complaint should be reported to the supervisor in the chain of command. This complaint should be made in writing.
- B. Anytime an employee has knowledge of harassment he/she shall inform the department head in writing.

- C. Each complaint shall be fully investigated and a determination of the facts and an appropriate response will be made on a case-by-case basis.

The City of West Memphis will not tolerate harassment or any form of retaliation against an employee who has either instigated or cooperated in the investigation of alleged harassment. Disciplinary action will be taken against offenders.

4.0 **Benefits**

4.1 Vacation

Full Time employees of the City who have completed one year of continuous service are entitled to vacation with pay.

Policemen will be granted vacation according to the following schedule:

1 year but less than 15 years	3 weeks
15 years but less than 20 years	4 weeks
20 years but less than 30 years	5 weeks
Over 30 years	6 weeks

Firemen working 24 hours shifts will be given vacation according to the following shift schedule. Firemen working 8 hours shifts will be given vacation according to the following weekly schedule:

1 year but less than 2 years	4 shifts - 2 weeks
2 years but less than 7 years	6 shifts - 2 weeks
7 years but less than 15 years	9 shifts - 3 weeks
15 years but less than 20 years	12 shifts - 4 weeks
20 years but less than 30 years	15 shifts - 5 weeks
Over 30 years	18 shifts - 6 weeks

All other full time employees of the City will be granted vacation according to the following schedule:

1 year but less than 2 years	1 week
2 years but less than 7 years	2 weeks
7 years but less than 15 years	3 weeks
15 years but less than 20 years	4 weeks
20 years but less than 30 years	5 weeks
Over 30	6 weeks

For the purpose of the above weekly schedules, a week is defined as five (5) working days of eight (8) hours each. Saturdays, Sundays, Holidays and other non-working days which fall within a period of vacation will not be counted as vacation, except in the case of Fire Department and Police Department employees who receive holiday pay and the Saturday, Sunday or holiday was a scheduled work day for that employee.

No payment will be made in lieu of vacation except when an employee is separated from the City by reasons of layoff, dismissal, retirement or resignation. Unused vacation and prorated vacation will be paid to the employee at his regular rate of pay at the time of separation, provided the unused and prorated vacation does not exceed the limit set forth as follows:

Vacation may be accumulated to a maximum of 30 working days for all employees working eight hours and 15 shifts for firemen working 24-hour shifts. Vacation in excess of 30 days or 15 shifts will be lost.

Vacation will be granted by the department head at such time or times as will least interfere with the efficient operation of the department. The minimum charge for absence on account of vacation will be one (1) hour.

Conflicts in request for vacation will be resolved on the basis of seniority, providing written notice is received at least forty-five days prior to the vacation date requested.

Unused vacation of a deceased employee will be paid to his estate or to an individual authorized to receive such payment at his regular rate of pay on his last day worked.

Vacation cannot be accumulated during periods of leave of absences without pay.

Employees who transfer between different departments within the City without a break in service will retain all accumulated vacation credits.

The Mayor may give vacation seniority to a department head, based upon the employee's experience when employed.

4.2 Sick Leave

Full time employees who have completed one year of continuous service with the City are eligible to receive sick leave.

Sick leave will be accumulated at a rate of twenty (20) working days per year and will be posted to the employee's account on his anniversary date.

One (1) bonus day's pay will be given to any full-time employee who does not use a sick leave working day for a period of four (4) months.

A "working day" shall be eight (8) hours.

The department head will have jurisdiction as to individual requests for sick leave. His decision will determine whether compensation will be allowed for time missed.

At the discretion of the department head, a doctor's certificate may be required before an employee can return to work. A doctor's certificate is required after three continuous missed workdays.

Sick leave may be granted to the employee for the following reasons:

- Illness preventing normal work.
- Medical treatment or convalescence recommended by an attending physician.
- Medical, dental or optical examinations.
- Exposure to a contagious disease.

Sick leave may be granted to employees due to illness of a member of the immediate family. "Immediate Family" shall mean the father, mother, sister, brother, wife, husband, child, grandmother, grandfather, grandchild, in-laws or any other individual acting as parent or guardian of an employee.

Sick leave will be charged against the employee for only those hours he is scheduled to work.

The minimum length of time chargeable to sick leave will be one (1) hour.

Sick leave will accumulate to a maximum of sixty - (60) days.

Whenever an employee is separated from City service for reasons of retirement or permanent disability, unused sick leave will be paid the employee at his regular rate of pay at the time of separation.

Accumulated sick leave of a deceased employee will be paid to the employee's estate or to an individual authorized to receive such payments. Payment will be computed at the employee's regular rate of pay on his last day worked.

Sick leave may not be used as vacation.

4.3 Holidays

Employees of the City will observe the following holidays:

New Year's Day.....	January 1st
Martin Luther King's Birthday.....	third Monday in January
Good Friday.....	Friday before Easter
Memorial Day.....	last Monday in May
Independence Day.....	July 4th
Labor Day.....	first Monday in September
Veteran's Day.....	November 11th
Thanksgiving Day.....	fourth Thursday in November
Day after Thanksgiving.....	fourth Friday in November
Christmas Eve.....	December 24th
Christmas Day.....	December 25th

If a holiday falls on Saturday, it will be observed on Friday; if it falls on Sunday, it will be observed on Monday.

4.4 Hospitalization Plan

The employee must complete an enrollment card during his initial interview with the Personnel Director. Details of the plan will be covered at that time.

Coverage will begin on the first day of the month following employment.

Employee coverage is paid for by the City. The employee must pay the full premium for dependent coverage, if dependent coverage is desired. Dependent coverage may be requested at the time the enrollment card is completed.

Should dependent health or dental coverage be requested after initial enrollment in the plan, coverage will begin on the following January 1st. except in special situations subject to approval by the insurance company. Dependent life insurance may be added at any time subject to approval of the carrier.

One-half (1/2) of the premium for dependent coverage will be deducted from each pay check beginning on the fifteenth (15th) of the month that the coverage takes effect. The employee may drop dependent coverage at any time; however, the City will continue the payroll deduction until all paid premiums are recovered. A revised enrollment card must be completed and sent to the Personnel Department to drop dependent coverage.

Covered employees will receive a card, which identifies them as being under the plan, as well as a booklet describing the benefits of the plan.

Coverage may be kept in force during a leave of absence without pay, providing the employee pays, in advance, both the employee and, if applicable, dependent premiums.

Life insurance is included in the basic coverage of the plan. You should make sure your enrollment card has the correct beneficiary at all times.

Coverage under the plan may be continued after the end of the employee's term of service to the minimum time period required by law. Whenever an employee is separated from City service for reasons of retirement (20 years of service) or permanent disability, the employee may retain coverage under the plan indefinitely, provided the employee pays, in advance, both the employee and, if applicable, dependent premiums.

4.5 Funeral Benefits

The City recognizes that times of bereavement will occur and extends its sympathy at that time. Should a death in your family occur, you should contact your supervisor or department head immediately to arrange for the necessary time off.

The City will grant one (1) day of leave, with continuance of pay, for you to attend the funeral of the following relatives: wife, husband, child, mother, father, sister, brother, grandfather, grandmother, grandchild, in-laws or any other individual acting as parent or guardian. If additional time off is necessary, arrangements must be made with your department head for vacation, sick leave or leave without pay.

Verification of death may be required.

4.6 Leave of Absence Without Pay

Employees of the City may be granted leave of absence without pay. Leave may be of "short term" or "extended" duration but may not exceed six (6) months.

Short-term leave of absence without pay may be granted by the department head and may not exceed seven (7) days. Extended leave of absence without pay may be granted by the department head, with the Mayor's approval, for periods exceeding seven (7) days but not exceeding six (6) months.

1. The employee must apply, in writing, at least thirty - (30) days prior to the time the requested leave is to begin.

2. A written agreement will be signed by both the employee and department head setting forth the terms of the agreement. The Mayor must approve this agreement before leave of absence without pay may be granted.
3. Failure to report promptly at the time specified in the agreement will be grounds for dismissal.
4. The employee may, with the department head's approval, terminate his leave prior to its expiration.
5. An employee may not accumulate vacation, sick leave nor accrue benefits under the City's pension plan during a leave of absence without pay. However, they may keep their coverage under the group hospitalization plan in force by paying in advance to the Personnel Department, the employee premium and, if applicable, the dependent premiums.
6. The employee shall, per the terms of the agreement, be reinstated to the same or comparable position without loss of any of his rights unless the position is no longer available because of budget reductions in staff in the department.

4.7 Pension Plan.

The City has established a pension plan for non-uniformed, full time employees. All non-uniformed, full time employees of the City who have completed one (1) year of continuous service are eligible to participate in the plan.

Participation will commence on the first (1st) day of the month following the completion of one (1) year's continuous service. The employee is not required to contribute to the plan in order to participate.

Elected Official may make voluntary contributions. The City will not contribute on behalf of an elected official.

The City will contribute five percent (6%) of the employee's regular pay to the plan. The participants may elect to contribute a voluntary amount of not less than two percent (2%) of his/her regular pay to the plan.

Voluntary contributions may be discontinued and/or withdrawn at any time. However, any taxes and penalties will be withheld from withdrawals. There is not a charge for withdrawals unless the frequency is more often than once every six (6) months.

Participants will receive a quarterly statement showing amounts added to or withdrawn from their account. Participants will receive an annual statement showing amounts added to or withdrawn from their account as well as the interest earned and the current value of their account.

Contributions can be invested in various funds including fixed and variable options. Interest at a rate to be announced each year will be credited to each participant's account.

Employees will complete an enrollment form before participating in the plan.

When the participant's employment with the City ceases, benefits of the plan will be determined as follows:

- (1) Retirement: on or after normal retirement date: Full value of the account.
- (2) Death: Full value of the account will be paid to the beneficiary name on the enrollment form.
- (3) Total or permanent disability: Full value of the account.
- (4) Any other reason: Full value of the participant's contribution, if any plus interest, plus the percent (20%) of the City's contribution for each year of continuous service. After the five (5) years of service with the City, the employee receives one hundred percent (100%).

Upon retirement or permanent disability from City service, several options for receiving plan benefits are available. Additional details and an election form are available from the Personnel Department.

The City expects to continue the plan indefinitely, but reserves the right to change or discontinue the plan at any time. Should it become necessary to change or discontinue the plan, amounts already credited to your account cannot be adversely affected.

4.8 Awards

The City realizes that its employees are its greatest asset. An awards program has been designed to recognize extended terms of service by City employees. Longevity pay will be presented to employees who have completed at least five years of full time experience with the City of West Memphis as of November 1st of each year. Each year, each employee will receive five dollars (\$5.00) for each year of service. The adjusted date of hire will be used for those employees when applicable.

Some examples:	For five years of service:	\$25.00
	For six years of service:	\$30.00
	For seven years of service:	\$35.00

4.9 Community Service

Each employee has certain obligations to the community. The City recognizes these obligations and has established the following policies:

A. Jury Duty

Should you be summoned and selected, the City will grant leave of absence for the period of service. You will continue to receive your regular pay during the period of service. No loss of benefits will occur during your term of jury duty.

B. Uniformed Services

Certain rights to re-employment after service in the uniformed services, as well as provisions relating to pension and health benefits are established in the Uniformed Services Employment and Re-employment Rights Act of 1994, 38 U.S.C. Section 4301 *et seq.* and in A.C. A. Section 21-4-102. It is the city's policy to honor and comply with the provisions of those statutes.

In addition, employees who are members of a military service organization or National Guard unit shall be entitled to a military leave of fifteen (15) days plus necessary travel time (A.C.A. section 21-4-102).

4.10 Maternity Benefits

Maternity leave is treated as any other leave of sickness or disability. Sick leave and annual leave will be granted for maternity use after which time leave without pay may be used.

4.11 Worker's Compensation

In the event an employee loses time from his work because of a job related injury, he may receive compensation as provided by the Worker's Compensation Law.

Drug and medical expenses incurred from such injuries will be paid within the limits of the law.

The City will continue to pay the employee 100% of his regular rate of pay, for up to seven (7) calendar days following the date of the injury providing a medical certificate is furnished the City that the employee is unable to perform his assigned duties.

In the event the disability extends beyond this seven (7) calendar day period, Worker's Compensation should begin. The City will continue to pay the employee the difference between his Worker's Compensation pay and 90% of his regular salary for a period of up to, but not exceeding, three (3) months, from the date of the accident. If the employee is still unable to return to work, the City will pay the employee the difference between his Worker's Compensation pay and 80% of his regular salary for an additional three (3) months. Sick leave may not be used for further absenteeism due to this disability.

The City reserves the right to temporarily assign the employee to duties, with the same rate of pay, other than those being performed at the time the injury occurred, providing a physician states that it will not hinder recovery from the injury and the employee is expected to recover sufficiently to perform their regular duties. If the physician states that the employee is not expected to recover sufficiently to perform their regular duties, the employee may be offered another vacant position at the pay scale set by the City Council for the vacant position being offered.

The recovery period after the accident will be at the discretion of the attending physician. However, the City reserves the right to have the employee examined, at any time, by a physician of its choice.

4.12 Family Medical Leave

The Family Medical Leave Act (FMLA) of 1993 requires cities to offer up to twelve (12) weeks of unpaid, job-protected leave to eligible employees for certain family and medical reasons. Eligible city employees may take up to twelve (12) weeks of unpaid leave for the following reasons:

1. The birth and care of the employee's child;

2. The placement of a child into an employee's family by adoption or by foster-care arrangement;
3. The care of an immediate family member (spouse, child, or parent) who has a serious health condition; and
4. The inability of a city employee to work because of a serious health condition, which renders the employee unable to perform the essential functions of his or her job.

The Federal Act requires that the city maintain the employee's health coverage under any group plan during the time the employee is on FMLA leave. To be eligible for the FMLA benefits employees must:

1. Be employed by the city for at least one year;
2. Have worked 1,250 hours over the previous twelve (12) months preceding the leave request.

City employees must use vacation or accrued leave before FMLA leave will be granted. City employees are required to provide advance leave notice in writing, to the employee's supervisor (at least 30 days) when leave is foreseeable (such as childbirth, adoption or planned medical treatment, or as early as possible if the leave taken is not foreseeable 30 days in advance). The city requires written medical certification that the leave is needed due to the employee's own serious health condition or that of a family member. Depending on each individual situation, the city may require a fitness for duty report to return to work.

The city understands that upon return from FMLA leave; most employees must be restored to their original or equivalent position with equivalent pay, benefits and other employment terms. Furthermore, the use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Additional information and forms may be obtained from the Personnel Department.

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